

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE VILLAGE RECORDER,

Plaintiff,

-v-

THE VILLAGE MUSIC SCHOOL, *et al.*,

Defendants.

23 Civ. 10022 (PAE)

ORDER


PAUL A. ENGELMAYER, District Judge:

The Court has received a motion to withdraw as counsel from Freundlich Law APC (“FL”), counsel for defendant The Village Music School (“VMS”). Dkt. 29. FL represents that VMS has “terminated FL and does not want FL to represent VMS in the above captioned action.” Dkt. 30. It further represents that VMS does not oppose counsel’s withdrawal in this case. *Id.*

“[A] layperson may not represent a separate legal entity such as a corporation.” *Lattanzio v. COMTA*, 481 F.3d 137, 139 (2d Cir. 2007). VMS, as an artificial entity, cannot continue to defend this lawsuit unless it finds new counsel. Based on the representation that VMS has terminated FL’s representation, the Court expects to grant FL’s motion to withdraw. However, the Court will give VMS until January 29, 2024 to retain new counsel and for that new attorney to formally appear on its behalf. If successor counsel does not appear by that date, the Court will grant FL’s motion at that time, and will do so earlier if successor counsel appears on VMS’s behalf before then. In the event that VMS is unrepresented after January 29, 2024, the Court will be compelled to entertain motions for default judgment against VMS.

The Court *sua sponte* reschedules the initial pretrial conference in this case to February 8, 2024, at 2:00 p.m. All preconference filings are due February 6, 2024.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: January 18, 2024
New York, New York